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212-755-7306 TO: Examiner Regina M. DeBerry

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VIA TELEFACSIMILE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Application of:	Brines et al.	Confirmation No.:	4714
Serial No.:	09/547,220	Art Unit:	1647
Filed:	April 11, 2000	Examiner:	DeBerry, Regina M.
For:	Modulation of Excitable Tissue Function by Peripherally Administered Erythropoietin	Attorney Docket No.:	10165-006-999

SUBSTITUTE AMENDMENT UNDER 37 C.F.R. § 1.116

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office Action dated February 22, 2006, Applicants respectfully request that the following Substitute Amendment under 37 C.F.R. § 1.116 and remarks herein be considered and entered in to the record of the above-captioned application.

It is believed that there is no fee required for filing this response. However, in the event that a fee is required, please charge Jones Day Deposit Account No. 50-3013.

Amendments to the Claims begin on page 2 of this paper.

Remarks begin on page 5 of this paper.

CERTIFICATION OF FACSIMILE TRANSMISSION UNDER 37 C.F.R. 1.8(a)

I hereby certify that this paper is being filed with the United States Patent and Trademark Office by facsimile transmission on June 1, 2006 to facsimile telephone number 571-273-8300.


Eileen E. Falvey

46,097
Reg. No.